

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Madeleine Clayton 10/17/2001
Departmental Forms Clearance Officer
Office of the Chief Information Officer
14th and Constitution Ave. NW.
Room 6086
Washington, DC 20230

In accordance with the Paperwork Reduction Act, OMB has taken the following action on your request for approval of a revision of an information collection received on 08/06/2001.

TITLE: Western Alaska Community Development Quota Program

AGENCY FORM NUMBER(S): None

ACTION : APPROVED

OMB NO.: 0648-0269

EXPIRATION DATE: 10/31/2004

BURDEN	RESPONSES	BURDEN HOURS	BURDEN COSTS
Previous	8,636	3,526	1
New	8,157	3,746	1
Difference	-479	220	0
Program Change		220	0
Adjustment		0	0

TERMS OF CLEARANCE: None

NOTE: The agency is required to display the OMB control number and inform respondents of its legal significance (see 5 CFR 1320.5(b)).

OMB Authorizing Official Title

Donald R. Arbuckle Deputy Administrator, Office of
Information and Regulatory Affairs

PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.

1. Agency/Subagency originating request	2. OMB control number b. <input type="checkbox"/> None a. _____ - _____
3. Type of information collection (<i>check one</i>) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions	4. Type of review requested (<i>check one</i>) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated
	5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No
	6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
7. Title	
8. Agency form number(s) (<i>if applicable</i>)	
9. Keywords	
10. Abstract	
11. Affected public (<i>Mark primary with "P" and all others that apply with "x"</i>) a. <input type="checkbox"/> Individuals or households d. <input type="checkbox"/> Farms b. <input type="checkbox"/> Business or other for-profit e. <input type="checkbox"/> Federal Government c. <input type="checkbox"/> Not-for-profit institutions f. <input type="checkbox"/> State, Local or Tribal Government	12. Obligation to respond (<i>check one</i>) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden (<i>in thousands of dollars</i>) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection (<i>Mark primary with "P" and all others that apply with "X"</i>) a. <input type="checkbox"/> Application for benefits e. <input type="checkbox"/> Program planning or management b. <input type="checkbox"/> Program evaluation f. <input type="checkbox"/> Research c. <input type="checkbox"/> General purpose statistics g. <input type="checkbox"/> Regulatory or compliance d. <input type="checkbox"/> Audit	16. Frequency of recordkeeping or reporting (<i>check all that apply</i>) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission) Name: _____ Phone: _____

19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

NOTE: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - (i) Why the information is being collected;
 - (ii) Use of information;
 - (iii) Burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator or head of MB staff for L.O.s, or of the Director of a Program or Staff Office)	
Signature	Date
Signature of NOAA Clearance Officer	
Signature	Date

SUPPORTING STATEMENT
WESTERN ALASKA COMMUNITY DEVELOPMENT QUOTA PROGRAM
OMB CONTROL NUMBER 0648-0269

Introduction

The National Marine Fisheries Service (NMFS) request renewal of OMB information collection approval for the Western Alaska Community Development Quota Program (CDQ). The OMB control number for this activity is 0648-0269. The expiration date for this information collection approval is September 30, 2001.

The Western Alaska CDQ Program

The CDQ program is implemented under the Magnuson Stevens Fishery Conservation and Management Act, the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands, and regulations at 50 CFR 679. The purpose of the CDQ program is to allocate a portion of the quotas for groundfish, halibut, crab, and prohibited species in the BSAI to Western Alaska communities so that these communities can start and support regionally based, commercial seafood or other fisheries-related businesses. The groundfish, halibut, and crab allocations are known as CDQ allocations and the allocations of prohibited species (salmon, halibut, and crab bycatch in the groundfish fisheries) are known as prohibited species quota (PSQ) allocations.

Under the CDQ program, 65 eligible Western Alaska communities have organized into six separate groups. Each CDQ group acts as the managing organization for the CDQ allocation application process and for the development and implementation of a Community Development Plan (CDP). Each CDP contains information about communities affiliated with a group, development plans and projects, and how allocations will be harvested and used. The CDQ groups have incorporated under Alaska law as nonprofit corporations. Each group has both invested in and formed partnerships with other business and corporations who participate in Bering Sea and Aleutian Island fisheries. The royalties received from these business arrangements are the source of funds for the fishery-related community development projects outlined in a group's CDP.

The North Pacific Fishery Management Council (Council), State of Alaska, and National Marine Fisheries Service (NMFS) determine CDQ and PSQ allocations among the six CDQ groups based on the information contained in the proposed CDPs. Once the allocations are made and the CDPs approved, additional information is necessary to keep the CDPs up to date (technical and substantial amendments), to monitor the progress of the projects described in the CDPs (annual reports), and to manage the catch of CDQ and PSQ (prior notice of hauls, prior notice of deliveries, delivery and catch reports).

1. Explain the circumstances that make the collection of information necessary.

The CDQ Program is implemented under the Magnuson Stevens Fishery Conservation and Management Act, the Fishery Management Plan, and regulations at 50 CFR 679.

Six CDQ groups represent approximately 65 Western Alaska communities in the management and administration of the CDQ and PSQ allocations. The Council, State of Alaska, and NMFS decide how to allocate CDQ and PSQ allocations among these six groups based on the information contained in proposed CDPs. This is a competitive process which requires the collection of information to evaluate and compare the various proposed CDPs. Once the allocations are made and the CDPs are approved additional information collection is necessary to keep the CDPs up to date (technical and substantial amendments), to transfer allocations and quota among groups, to monitor the progress of the projects described in the CDPs (annual reports), and to manage the catch of CDQ and PSQ (CDQ delivery report and CDQ catch report)

Groundfish, halibut, crab, and prohibited species CDQ and PSQ allocations are made to CDQ groups, not to individual vessels and processors. However, in many cases the CDQ groups contract with existing fishing vessels and processors to harvest CDQ on their behalf. The CDQ group is responsible to manage vessels and processors fishing under their CDP, to monitor the catch of CDQ and PSQ by all vessels fishing under their CDP, and to take the necessary action to prevent overages of any CDQ or PSQ. NMFS also must monitor the catch of CDQ and PSQ as reported by vessels, processors, and CDQ groups to assure that quotas are not being exceeded.

2. Explain how, by whom, how frequently, and for what purpose the information will be used.

A. The Community Development Plan

The CDQ program is a grant-type program whereby the harvesting rights to CDQ fish are temporarily allocated to CDQ groups on the basis of the information submitted in the proposed CDP. The CDQ groups are responsible for managing both the CDQ projects and the CDQ harvesting as outlined in the CDPs on the behalf of the member communities. NMFS has no obligation to give further allocations based on past allocations, and any CDQ harvesting rights expire with the expiration of a CDP. NMFS will base its awards of CDQ allocations on the merits of the proposed CDPs and the performance of the CDQ group.

The MS CDQ application procedure is initiated by the State's announcing a CDQ application period, during which time, each CDQ group completes a proposed CDP and submits it to the State. A proposed CDP includes a request for a percentage of each available CDQ species, community development information, business information, a fishing plan, list of eligible vessels and processors, and CDQ planning information.

Once the application period has closed, the State holds a public meeting at which each CDQ group presents its proposed CDP and the public has the opportunity to comment. The State then

makes recommendations to NMFS about approval of the CDPs and the percentage allocations of groundfish, halibut, prohibited species, and crab.

A proposed CDP must contain the following information (all of which is approved under the current information collection for the CDQ program). This information is used both to evaluate allocation requests and to augment fisheries management efforts.

1. Community development information, including:
 - a. Project description. A detailed description of all proposed CDQ projects, including the short and long-term benefits to the qualified applicant from the proposed CDQ projects. CDQ projects should not be designed with the expectation of CDQ allocations beyond those requested in the proposed CDP.
 - b. Project schedule. A schedule for the completion of each CDQ project with measurable milestones for determining the progress of each CDQ project.
 - c. Employment. The number of individuals to be employed through the CDP projects, and a description of the nature of the work and the career advancement potential for each type of work.
 - d. Community eligibility. A list of the participating communities.
 - e. Community support. A demonstration of each participating community's support for the qualified applicant and the managing organization through an official letter approved by the governing body of each such community.
2. Managing organization information, including:
 - a. Structure and personnel. A description of the management structure and key personnel of the managing organization, such as resumes and references, including the name, address, fax number, and telephone number of the qualified applicant's CDQ representative.
 - b. Management qualifications. A description of how the managing organization is qualified to carry out the CDP projects in the proposed CDP, and a demonstration that the managing organization has the management, technical expertise, and ability to manage CDQ allocations and prevent exceeding a CDQ or PSQ.
 - c. Legal relationship. Documentation of the legal relationship between the qualified applicant and the managing organization (if the managing organization is different from the qualified applicant) clearly describing the responsibilities and obligations of each party as demonstrated through a contract or other legally binding agreement.
 - d. Board of directors. The name, address, and telephone number of each member of the board of directors of the qualified applicant. If a qualified applicant represents more than one community, the board of directors of the qualified applicant must include at least one member from each of the communities represented.
3. Business information, including:
 - a. Business relationships. A description of all business relationships between the qualified applicant and all individuals who have a financial interest in a CDQ

project or subsidiary venture, including but not limited to, any arrangements for management and audit control and any joint venture arrangements, loans, or other partnership arrangements, including the distribution of proceeds among the parties.

- b. Profit sharing. A description of all profit sharing arrangements.
 - c. Funding. A description of all funding and financing plans.
 - d. General budget for implementing the CDP. A general account of estimated income and expenditures for each CDQ project for the total number of calendar years that the CDP is in effect.
 - e. Financial statement for the qualified applicant. The most recent audited income statement, balance sheet, cash flow statement, management letter, and agreed upon procedures report.
 - f. Organizational chart. A visual representation of the qualified applicant's entire organizational structure including all divisions, subsidiaries, joint ventures, and partnerships. This chart must include the type of legal entity for all divisions, subsidiaries, joint ventures, and partnerships; state of registration of the legal entity; and percentage owned by the qualified applicant.
4. Request for CDQ and PSQ allocations. A list of the percentage of each CDQ reserve and PSQ reserve that is being requested. The request for allocations of CDQ and PSQ must identify percentage allocations requested for CDQ fisheries identified by the primary target species of the fishery as defined by the qualified applicant and the gear types of the vessels that will be used to harvest the catch.
5. Fishing plan for groundfish and halibut CDQ fisheries. The following information must be provided for all vessels and processors that will be harvesting or processing groundfish and halibut CDQ:
- a. List of eligible vessels and processors
 - (i) Information required for all vessels. A list of the name, Federal fisheries permit number (if applicable), ADF&G vessel number, LOA, gear type, and vessel type (catcher vessel, catcher/processor, or mothership) for each vessel that will be used to catch or process CDQ.
 - (ii) Information required for observed vessels using trawl or hook-and-line gear and motherships taking deliveries from these vessels. For each catcher/processor and catcher vessel 60 ft LOA or greater using trawl or hook-and-line gear and not delivering unsorted codends, or for each mothership, the CDP must include the following information that will be used by NMFS to determine whether sufficient observer coverage is provided to sample each CDQ haul, set, or delivery. Provide the information for groundfish CDQ fishing as defined under § 679.2 only and provide separate information by management area or fishery if information differs among management areas or fisheries.

(1) Number of CDQ observers that will be aboard the vessel. For catcher/processors using hook-and-line gear proposing to carry only one CDQ observer, the CDP must include vessel logbook or observer data that demonstrates that one CDQ observer can sample each set for species composition in one 12-hour shift per fishing day.

(2) Maximum number of hauls, sets, or pots that will be retrieved each fishing day while groundfish CDQ fishing.

(3) Minimum and maximum estimated total catch weight for each haul for vessels using trawl gear.

(4) Estimated time necessary to process the minimum and maximum haul size for vessels using trawl gear.

(5) Average number of hooks in each set and estimated time it will take to retrieve each set for vessels using hook-and-line gear.

(6) Whether any halibut CDQ will be harvested by vessels groundfish CDQ fishing.

(iii) Shoreside processors or buying stations. A list of the name, Federal processor permit number, and location of each shoreside processor or buying station that is required to have a Federal processor permit under § 679.4(f) and will take deliveries of, or process, groundfish CDQ catch from any vessel groundfish CDQ fishing or from vessels equal to or greater than 60 ft (18.3 m) LOA that are halibut CDQ fishing.

(b) Sources of data or methods for estimating CDQ and PSQ catch. The sources of data or methods that will be used to determine catch weight of CDQ and PSQ for each vessel or processor proposed as eligible under the CDP. For each vessel or processor, the CDP must specify whether the NMFS's standard sources of data set forth at § 679.32(d)(2) or some other alternative will be used. For catcher vessels using nontrawl gear, the CDP also must specify whether the vessel will be retaining all groundfish CDQ catch or will be discarding some groundfish CDQ catch at sea. The qualified applicant may propose the use of an alternative method such as the sorting and weighing of all catch by species on processor vessels or using larger sample sizes than could be collected by one observer. Alternatives to the requirement for a certified scale or an observer sampling station may not be proposed.

6. CDQ planning--Transition plan. A proposed CDP must include an overall plan and schedule for transition from reliance on CDQ allocations to self-sufficiency in fisheries based on the qualified applicant's long term revenue stream without CDQs.

B. CDP Monitoring

During the course of the two year period covered by the proposed CDP, the following annual reports are required:

1. Annual progress report. The State of Alaska must submit this report to NMFS with the following information included:
 - a. How the scheduled milestones in the CDP have been met for each CDQ project and whether the CDQ is likely to succeed.
 - b. A description of any problems or issues with a CDP.
2. Annual budget report must be submitted to NMFS. For the coming year, it must show estimated income from any CDQ project and expenses for each subsidiary, division, joint venture, partnership, investment activity, or CDQ project.
3. Annual budget reconciliation report must be submitted to NMFS for the most recently completed year. In this report, the estimated income and expenses would be reconciled with the actual income and expenses for each CDQ project. If a general budget is no longer correct because of the reconciled annual budget, the general budget must also be revised and submitted with the reconciliation report.

C. Substantial amendments

Substantial amendments are defined as significant changes to a CDP. The criteria for determining whether a change is a substantial amendment and the submittal requirements for substantial CDP amendments are found in Appendix A to this supporting statement.

D. Technical amendments

Any change to a CDP that does not meet the criteria for being a substantial amendment is a technical amendment. Technical amendments typically involve (1) additions of vessels and processors to an approved CDP for the groundfish CDQ program, (2) transfers of groundfish CDQ allocations and CDQ amounts among the CDQ groups, and (3) minor CDP content revisions. Submittal requirements for technical amendments are found in Appendix A to this supporting statement.

E. Catch Monitoring

The following information collection elements allow for more accurate and timely CDQ catch monitoring and reporting.

1. The CDQ delivery report is required to be submitted by any shoreside processor or operator of a vessel operating solely as a mothership in Alaska State waters to both the appropriate CDQ group and to NMFS. The CDQ delivery report is the primary source of information that the CDQ group uses to monitor the harvest of CDQ and PSQ by catcher vessels and to prepare their CDQ catch report. NMFS uses the delivery report to verify that the CDQ group is reporting catch accurately. The regulations for the information required to be submitted in the CDQ delivery report are in Appendix B to this supporting statement.

2. The CDQ catch report must be submitted by each CDQ group to report the catch of all CDQ and PSQ by all vessels and processors fishing under their CDP. The CDQ catch report is necessary to combine catch information from the CDQ delivery report and from observer reports for any CDQ or PSQ catch processed or discarded at sea. The CDQ catch report must be submitted by the CDQ group rather than the vessels or processors harvesting CDQ because the CDQ group is the entity that receives the CDQ and PSQ allocations and also is the entity responsible to not exceed quota amounts. The regulations for the information required to be submitted in the CDQ delivery report are in Appendix B to this supporting statement.
3. Prior notice to the Observers in Shoreside Plants. Each shoreside processor must notify the CDQ observer one hour prior to the delivery (offloading) of CDQ catch at the shoreside plant so that the observer has adequate notice to be present and monitor the delivery.
4. Prior notice to the Observers on Vessels. Each vessel operator must notify the CDQ observer fifteen minutes prior to retrieving a CDQ haul on board the vessel so that the observer has adequate notice to obtain the catch weight and species composition data necessary to manage the CDQ fisheries.

F. Requirements that apply to the fixed gear halibut CDQ fisheries

Vessels and registered buyers participating in the fixed gear halibut CDQ fisheries are required under § 679.32(f) to report their catch to NMFS's Restricted Access Management Division following the same requirements as participants in the fixed gear halibut and sablefish Individual Fishing Quota (IFQ) program. This requirement is implemented through a requirement in § 679.32 that the CDQ participants comply with § 679.5(l)(1) and (l)(2). The information collected from IFQ and CDQ participants under the IFQ regulations at § 679.5(l)(1) and (l)(2) are approved by OMB under the IFQ program (OMB control number 0648-0272).

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

NMFS will accept electronic transmission of either CDQ delivery reports and CDQ catch reports. This includes allowing CDQ groups to submit CDQ catch reports via proprietary catch accounting software. Shoreside processors may utilize NMFS's "shoreside processor electronic logbook report" software to submit CDQ delivery information in lieu of submitting a CDQ delivery report. The public may download copies of current CDQ catch and delivery reports from the NMFS Alaska Region home page. Aggregated CDQ catch information is also available from this Internet web site.

4. Describe efforts to identify duplication.

NMFS has examined these information requests and has determined that they do not duplicate any previous information request.

5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.

Most of the catcher vessels participating in the CDQ fisheries are considered small entities as are some of the catcher/processors and shoreside processing plants. In addition, the CDQ groups represent Western Alaska communities that are small entities. NMFS has attempted to minimize the reporting burden on all participants, including accommodating the use of electronically submitted catch and delivery reports. However, the need to manage individual catch quotas so as not to exceed overall quotas necessitates the level of information collection proposed in this supporting statement. Catch reporting requirements are different for different vessel and processor categories and they generally do not require observers and additional equipment for the small vessel and processor categories.

6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

The CDQ groups are currently required to submit new CDPs every two years. A two-year cycle was chosen to provide the CDQ groups with the stability of a known allocation for a multi-year period. However, because these are not permanent allocations, the two-year cycle also provides the opportunity for NMFS to review the progress of each CDQ group and to consider new communities and groups that may form.

The CDQ fisheries require a higher level of accountability than any fishery NMFS currently is managing off Alaska because they require each CDQ group (and the vessels and processors fishing under their CDP) to account for the catch of all CDQ and PSQ species, including catch retained and catch discarded. NMFS and the CDQ groups will need to keep careful track of catch on a daily basis in order to stay within quota allocations. Therefore, the additional information required in the CDQ delivery report and CDQ catch report cannot be collected less frequently.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

OMB guidelines state that an information collection should not require respondents to report information more often than quarterly. Groundfish catch information collected for the CDQ program is used to manage a commercial fishery and often requires information (e.g. notice to observers, delivery reports) to be collected as frequently as several time a day depending on the number of vessels fishing on a particular day.

8. Provide a copy of the PRA Federal Register notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

The Federal Register notice that solicited public comments on the proposed information collection is attached: no comments were received.

9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

No payment or gift will be provided under this program.

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.

The information collected is confidential under section 402(b) of the Magnuson-Stevens Act (16 U.S.C. 1801 et seq.). It is also confidential under NOAA Administrative Order 216.100, which sets forth procedures to protect confidentiality of fishery statistics. These procedures have been implemented under the NMFS Operations Manual entitled “Data Security Handbook for the Northwest-Alaska Region, National Marine Fisheries Service.”

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

Information collected for the multispecies CDQ program does not include information of a private or sensitive nature.

12. Provide an estimate in hours of the burden of the collection of information.

NMFS estimates that the following number of entities, vessels and processors will participate in the multispecies groundfish and halibut CDQ fisheries and be required to submit the various elements in this proposed information collection.

- ▶ 6 CDQ groups
- ▶ 30 trawl catcher/processors or motherships
- ▶ 14 longline catcher/processors
- ▶ 26 trawl catcher vessels greater than or equal to 60' length overall (LOA)
- ▶ 4 longline catcher vessels greater than or equal to 60' LOA
- ▶ 5 shoreside processors

The estimated annual burden for this collection is 3,746 hours. Two broad sets of information are required for the MS CDQ program, and are detailed below.

A. BURDEN HOURS FOR ALL CDQ FISHERIES (GROUNDFISH, HALIBUT, AND CRAB)

The following information is collected for participants in all CDQ fisheries.

Proposed CDP

The proposed CDP is currently prepared once every two years. It is a complex document that is typically compiled by a CDQ group's management staff in conjunction with attorneys, accountants, and investment partners. CDP's were submitted to NMFS in August 2000 for the 2001-2002 allocation cycle. The next set of CDPs will be submitted in the fall of 2002 for the 2003-2004 allocation cycle. This is a change from what was submitted in previous supporting statements for the information collected under OMB Control Number 0648-0269. The CDP cycle was decreased from three years to two years by the State of Alaska, but the cost estimate for preparing a CDP remains the same. This corresponds to an increase in the estimated annual time and cost of preparing a CDP.

The following is the burden hours estimate, and the cost estimate for this collection of information from the public:

Number of proposed CDPs	6
Estimated completion time per CDP	520 hrs
Total time	
(6 CDPs x 520 hours each)	3,120 hrs
Estimated annual time	
(3,120 hours / 2 years)	1,560 hrs
Cost per hour	\$150
Estimated annual cost for all CDPs	
(1,560 hours per year x \$150 per hour)	\$234,000

Annual Report

Number of annual reports	6
Estimated completion time per report	40 hrs
Total time	
(6 CDPs x 40 hours each)	240 hrs
Cost per hour	\$50
Estimated annual cost for all CDPs	
(240 hours per year x \$50 per hour)	\$12,000

Annual Budget Report

Number of annual budget reports	6
Estimated completion time per CDP	20 hrs
Total time	
(6 CDPs x 20 hours each)	120 hrs
Cost per hour	\$50
Estimated annual cost for all CDPs	
(120 hours per year x \$50 per hour)	\$6,000

Annual Budget Reconciliation Report

Number of proposed CDPs	6
Estimated completion time per CDP	8 hrs
Total time	
(6 CDPs x 8 hours each)	48 hrs
Cost per hour	\$50
Estimated annual cost for all CDPs	
(48 hours per year x \$50 per hour)	\$2,400

Substantial Amendments

Number of substantial amendments per CDP	6
Number of proposed CDPs	6
Total amendments	
(6 CDPs x 6 amendments each)	36
Estimated preparation time per amendment	8 hrs
Total time	
(36 amendments x 8 hours each)	288 hrs
Cost per hour	\$50
Estimated annual cost for all amendments	
(288 hours x \$50 per hour)	\$14,400

Technical Amendments

Number of technical amendments per CDP	12
Number of proposed CDPs	6
Total amendments	
(6 CDPs X 12 amendments each)	72
Estimated preparation time per amendment	4 hrs
Total time	
(72 amendments X 4 hours each)	288 hrs
Cost per hour	\$50
Estimated annual cost for all amendments	
(240 hours x \$50 per hour)	\$14,400

B. BURDEN HOURS FOR MULTISPECIES GROUND FISH CDQ FISHERIES

The following information is collected only for participants in the multispecies groundfish CDQ fisheries. It excludes participants in crab CDQ fisheries because those are managed by the State of Alaska. Participants in the fixed gear halibut CDQ fisheries are also excluded because these vessels follow regulations governing the IFQ fisheries, which are covered under a separate OMB information collection approval.

Personnel cost per hour for the following groundfish harvest reporting information collection elements is based on the average wage equivalent to a GS-7 employee in Alaska, including COLA.

CDQ Delivery Report

Total number of deliveries per year	75
Estimated preparation time per report	1 hour
Total time	75 hrs
Cost per hour	\$20
Estimated annual cost for all delivery reports	\$1500

The number of deliveries per year is based on the average number of CDQ deliveries made to shoreside processors in 1999 and 2000. NMFS expects to receive CDQ delivery reports from shoreside processors both via facsimiles as well as by electronically generated and submitted reports.

CDQ Catch Report

Number of CDQ Catch Reports	
for deliveries to shore plants	75
for catcher/processors	3,900
TOTAL	3,975
Estimated completion time per report	15 min
Total time	
(3,975 reports x 15 min each)	994 hrs
Cost per hour	\$20
Estimated annual cost for all catch reports	\$19,880

The number of catch reports is based on the average number of CDQ catch reports submitted to NMFS in 1999 and 2000. NMFS expects to receive CDQ catch reports from CDQ groups both via facsimiles as well as by electronically generated and submitted reports.

Prior Notice to Observer of CDQ Delivery (Offloading)

This notice applies to shoreside processors required to have a CDQ observer. It typically consists of plant personnel verbally informing the observer that an incoming vessel will make a CDQ delivery.

Number of CDQ deliveries to processors with CDQ
 observers each year 75
 Estimated completion time per notice 2 min
 Total time (75 reports x 2 min) 150 min
 or 2.5 hrs
 Cost per hour \$20
 Estimated annual cost for all notices \$50

Prior Notice to Observer of CDQ Hauls or Sets

This applies to catcher/processors, motherships, and catcher vessels required to have a CDQ observer. It typically consists of vessel personnel verbally informing the observer that an incoming haul is a CDQ haul.

Number of CDQ hauls or sets 3,900
 Estimated completion time per notice 2 min
 Total time ((3,900 X 2 min)/60 min) 130 hrs
 Cost per hour \$20
 Estimated annual cost for all notices \$2,600

Table 1. Summary of annual burden hours and cost

Information Collection	# Respondents	# Responses	Burden Hours	Cost (\$)
Proposed CDP	6	6	1,560*	234,000
CDP - Annual Report	6	6	240	12,000
CDP - Annual Budget Report	6	6	120	6,000
CDP - Annual Budget Reconciliation	6	6	48	2,400
Substantial Amendments	6	36	288	14,400
Technical Amendments	6	72	288	14,400
CDQ Delivery Reports	5	75	75	975
CDQ Catch Reports	6	3,975	994	19,880
Prior Notice to Obs. of Offloading	5	75	2.5	33
Prior Notice to Obs. on Vessels	74	3,900	130	2,600
Total	85**	8,157	3,745.5	307,230

* average over two years

** number of unique respondents (CDQ groups, shoreside processors, observed vessels)

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection.

No capital or significant start-up costs are associated with the information collection under the MS CDQ program. Additional non-hours costs associated with the CDQ program include

mailing or faxing materials and telephone costs for electronic submissions. These costs are not expected to exceed \$1,000.

14. Provide estimates of annualized cost to the Federal government.

The information collection is ongoing and does not require new staff. NMFS will be required to review CDPs, annual reports, and CDP amendments. Additionally, NMFS will receive, process, and analyze CDQ delivery and catch information. Table 2 summarizes the staff hours associated with these elements of the information collection. Personnel cost per hour for the following groundfish harvest reporting information collection elements is based on the average wage equivalent to a GS-11 employee in Alaska, including COLA.

Table 2. Summary of annual cost to the Federal Government

Element	Number of Submissions	Review or oversight hours/year per submission	Total annual time	cost per hour	Annual cost to Federal Government
Proposed CDP (2 year cycle)	6	400	2,400	25	6,000
Annualized CDP cost	6	200	1,200	25	30,000
Annual Report	6	16	96	25	2,400
Annual budget report	6	8	48	25	1,200
Annual Budget reconciliation report	6	8	48	25	1,200
Substantial amendments	36	4	144	25	3,600
Technical Amendments	72	2	144	25	3,600
Catch and Delivery reports	4050	20 minutes	1,350	25	33,750
Totals	4182		3,030		75,750

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 83-I.

The approved information collection for the CDQ program provides for an estimated 59 respondents, 8,636 annual responses, and 3,526 annual burden hours.

This proposed information collection would make the following changes from the current collection scheme:

- (i) Remove three collection items that were applicable for 1998 only. These include: vessel bin certification (22 respondents, 0 burden hours); changes to CDP's list of halibut/sablefish card holders (6 respondents, 3.5 burden hours); and changes to CDP's list of halibut/sablefish vessels (6 respondents, 14 burden hours).
- (ii) Remove the requirement for the request for an observer sampling station inspection (49 respondents, 98 burden hours). This element was consolidated into the information collection approval for the At-Sea Scales Certification Program (OMB 0648-0330).
- (iii) Remove the requirement for the retention of scale print outs by shoreside processors (4 respondents, 22 burden hours). This element was consolidated into the information collection approval for the At-Sea Scales Certification Program (OMB 0648-0330).
- (iv) The proposed number of respondents has increased from 59 to 85. The increase more accurately reflects the actual number of vessels projected to participate in the groundfish CDQ fisheries in 2001 and 2002 that are required to provide CDQ-related information to NMFS. This estimate is based on actual CDQ program participation in 1999 and 2000.
- (v) The number of proposed annual responses has decreased from 8,636 to 8,157. Based on actual participation and reporting levels in 1999 and 2000, the proposed number of annual responses has decreased for the following elements: Substantial Amendments, Delivery Reports, Catch Reports, Prior Notice of CDQ offloads, and Prior Notice of CDQ Hauls.
- (vi) The number of proposed annual burden hours has increased from 3,526 to 3,746. The primary reason for this is that the amount of time in a CDP cycle has decreased from three to two years, while the total time necessary to prepare a CDP has not changed. This necessitates averaging the total CDP preparation time over two years rather than three, thus increasing the annual burden hours for this element. The annual burden hours for five other elements actually decreased, but there is still an overall net increase in proposed annual burden hours.
- (vii) The annualized cost to the Federal government has decreased from \$200,000 to \$75,750. This is due to a more accurate estimate of the time that NMFS staff associated with CDQ program management actually perform duties associated with the collection, review, and maintenance of the paperwork and data associated with this collection.

16. For collections whose results will be published, outline the plans for tabulation and publication.

The information collected will be summarized in CDQ catch reports available in aggregated form to the public. No statistical sampling of the information is planned.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

In accordance with OMB requirements, the control number and the expiration date of OMB approval will be shown on all information collection instruments.

18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.

No exceptions to the certification statement are proposed.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.

<p align="center">CDQ Catch Report</p> <p>Community Development Quota Program</p>	Original <input type="checkbox"/> Revision <input type="checkbox"/>	National Marine Fisheries Service Sustainable Fisheries Division P.O. Box 21668 Juneau, AK 99802-1668 FAX 907-586-7131 Ph. 907-586-7228
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Block 1. Vessel Type		
Select Type	CDQ Catch Harvested with:	Complete the following blocks:
	Catcher vessel less than 60 ft. LOA delivering to a shoreside processing plant or stationary floating processor.	Block 2, 3, and 4
	Catcher vessel greater than or equal to 60 ft. LOA, using trawl gear, delivering to a shoreside processing plant or stationary floating processor.	Block 2, 3, and 4
	Catcher vessel greater than or equal to 60 ft. LOA, using non-trawl gear, retaining all groundfish CDQ and delivering it to a shoreside processing plant or stationary floating processor [Option 1 in the Community Development Plan (CDP)].	Block 2, 3, and 4
	Catcher vessel greater than or equal to 60 ft. LOA, using non-trawl gear, and discarding some groundfish CDQ at sea (Option 2 in the CDP).	Block 2, 3, and 5
	Catcher vessel using trawl gear and delivering unsorted codends to a mothership.	Block 2, 3, and 5
	Catcher/processor.	Block 2, 3, and 5

Block 2. Vessel, Gear and Area Information	
A. Vessel Name:	B. Federal Fisheries Permit number:
C. ADF&G number:	D. Federal Reporting Area:
E. Harvest Gear Type: (circle one) Hook-and-line Pot Non-pelagic trawl Pelagic Trawl Jig	
F. Target Fishery:	G. For trawl gear, check if catch was made in the: <input type="checkbox"/> CVOA <input type="checkbox"/> COBLZ

Block 3. CDQ Group Information		
A. CDQ Group number:	B. Group Name:	C. Date Report Submitted:

Block 4. Catch and Delivery Information: Catcher vessels retaining all groundfish CDQ and delivering it to shoreside processors or to stationary floating processors.					
A. Processor Name:			B. Federal Processor Permit number:		
C. Date catch delivered:			D. Date fishing began:		
E. Groundfish CDQ Species					
Species Code	Product Code	Weight (mt)	Species Code	Product Code	Weight (mt)

F. Halibut CDQ, Halibut IFQ, and Sablefish IFQ in this catch (must also be reported to NMFS on an IFQ Landing Report)						
Category/species	Product Code	Weight (mt)	Product Code	Weight (mt)	Product Code	Weight (mt)
Halibut CDQ (200)						
Halibut IFQ (200)						
Sablefish IFQ (200)						

G. Salmon and Crab PSQ			
Species Code	Numbers	Species Code	Numbers

H. Halibut PSQ			
Product Code	Round Weight (mt)	Mortality Rate	Halibut Mortality (mt)
98 (discard at sea)			
99 (discard dockside)		100%	

Block 5. Catch and Delivery Information: Catcher/processors, CV's delivering unsorted codends to motherships, or CV's (with observers) using non-trawl gear and discarding groundfish CDQ at sea.

A. Catcher/processors	B. Motherships	C. CVs delivering to shoreside processors
	Name:	Processor Name:
	Fed. Fish. Permit Number:	Federal Proc. Permit Number:
Observer haul/set number:	Observer haul number:	Date fishing began:
Date gear retrieved:	Date gear retrieved:	Date catch delivered:

D. Groundfish CDQ Species					
Species Code	Product Code	Weight (mt)	Species Code	Product Code	Weight (mt)

E. Halibut CDQ, Halibut IFQ, and Sablefish IFQ in this catch (must also be reported to NMFS on an IFQ Landing Report)						
Category/species	Product Code	Weight (mt)	Product Code	Weight (mt)	Product Code	Weight (mt)
Halibut CDQ (200)						
Halibut IFQ (200)						
Sablefish IFQ (200)						

F. Salmon and Crab PSQ			
Species Code	Numbers	Species Code	Numbers

G. Halibut PSQ			
Product Code	Round Weight (mt)	Mortality Rate	Halibut Mortality (mt)
98 (discard at sea)			
99 (discard dockside)		100%	

CDQ Catch Report: Instructions

Community Development Quota Program

National Marine Fisheries Service
Sustainable Fisheries Division
P.O. Box 21668
Juneau, AK 99802-1668
FAX 907-586-7131
Ph. 907-586-7228



General

CDQ Catch Reports are required for all groundfish catch made by vessels groundfish CDQ fishing or for any groundfish harvested by vessels greater than or equal to 60 feet LOA while halibut CDQ fishing. Submittal of a Catch Report is not required if, while halibut CDQ fishing, no groundfish CDQ is caught. Unless otherwise submitted via electronic means, send reports to the above FAX number.

Submittal Deadline

A CDQ representative must submit the report to NMFS within 7 days of the date CDQ catch was delivered by a catcher vessel to a shoreside processor, stationary floating processor or mothership. For catcher/processors, the report must be submitted within 7 days of the date gear used to catch CDQ was retrieved.

Notes and References

Federal Reporting Areas: see 50 CFR part 679, Figure 1.

Species codes (including Prohibited Species): see 50 CFR part 679, Table 2.

(Use species code 139 for any Sebastes or Sebastolobus species code reported on observer data for which no species code is listed in Table 2).

Product codes: for groundfish, see 50 CFR part 679, Table 1.

Weights: enter to the nearest 0.001 metric ton (mt).

Instructions

Note: Please check whether this is an original or revised catch report.

Block 1 - Vessel Type

Select the most appropriate vessel type. Based on the type selected, complete each of the specified blocks.

Block 2 - Vessel, Gear, and Area

- A. Enter the name of the vessel used to harvest this CDQ catch.
- B. Enter the Federal Fisheries Permit number for this vessel.
- C. Enter the ADF&G number for this vessel.
- D. Enter the 3-digit Federal Reporting Area in which CDQ catch occurred (if a haul or set occurs in more than one area, record the area code where gear retrieval was completed).
- E. Circle the gear type used to harvest this catch.
- F. Enter the intended target fishery (e.g. cod or sablefish).
- G. If catch was made using trawl gear, check one or both boxes to indicate if catch was made in the Catcher Vessel Operational Area (CVOA) or C. Opilio Bycatch Limitation Zone (COBLZ). These are shown and described at 50 CFR part 679, Figures 2 and 13, respectively.

Block 3 - CDQ Group Information

- A. Enter the CDQ group number assigned to the CDQ group submitting this report.
- B. Enter CDQ group name or acronym.
- C. Enter the date this report was submitted to NMFS.

Block 4 - Catch and Delivery Information: Catcher Vessels (using either trawl or non-trawl gear) retaining all groundfish CDQ and delivering to a shoreside processor or stationary floating processor.


- A. Enter the name of the processor to which this catch was delivered.
- B. Enter the processor's Federal Processor Permit number.
- C. Enter the date this catch was delivered to processor.
- D. Enter the date fishing began on this trip.
- E. Enter the appropriate species code, product code, and weight (in metric tons) for each CDQ groundfish species in this catch.

- F. For non-trawl vessels only, enter the product code and product weight for any halibut CDQ, halibut IFQ, and sablefish IFQ in this catch. Such catch must also be reported to NMFS via an IFQ landing report.
- G. For salmon and crab PSQ, enter the species code of each species and number of animals in this catch.
- H. Enter the round weight (metric tons), discard mortality rate, and overall halibut mortality for any halibut PSQ.

Block 5 - Catch and Delivery Information: Catcher/processors, catcher vessels delivering unsorted codends to motherships, or catcher vessels (with observers) using non-trawl gear and discarding some groundfish CDQ at sea

- A. Catcher/processors. Enter both the observer haul number for this catch and the date on which the gear was retrieved.
- B. Motherships. Enter the mothership's name, Federal Fisheries Permit number, observer haul number for this catch, and date on which gear was retrieved from the delivering catcher vessel.
- C. CVs delivering to shoreside processors. Enter the processor's name, Federal Processor Permit number, date fishing began, and the date on which catch was delivered.
- D. Enter the appropriate species code, product code and round weight (in metric tons) for each groundfish CDQ species in this catch.
- E. For non-trawl vessels only, enter the product code and product weight for any halibut CDQ, halibut IFQ, and sablefish IFQ in this catch. Such catch must also be reported to NMFS via an IFQ landing report.
- F. For salmon and crab PSQ, enter the species code of each species and number of animals in this haul or set.
- G. Enter the round weight (metric tons), discard mortality rate, and overall halibut mortality for any halibut PSQ.

PUBLIC REPORTING BURDEN STATEMENT
Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Sue Salveson, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802 (Attn: Lori Gravel).
ADDITIONAL INFORMATION
Before completing this form please note the following: 1) Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number; 2) This information is mandatory and is required to manage commercial fishing effort under 50 CFR part 679 and under section 402(a) of the Magnuson-Stevens Act (16 U.S.C. 1801, <u>et seq.</u>); 3) Responses to this information request are confidential under section 402(b) of the Magnuson-Stevens Act (16 U.S.C. 1801, <u>et seq.</u>). It is also confidential under NOAA Administrative Order 216-100, which sets forth procedures to protect confidentiality of fishery statistics. These procedures have been implemented under the NMFS Operations Manual entitled, "Data Security Handbook for the Northwest-Alaska Region National Marine Fisheries Service."

<h2 style="text-align: center;">CDQ Delivery Report</h2> <h3 style="text-align: center;">Community Development Quota Program</h3>	Original <input type="checkbox"/>	National Marine Fisheries Service Sustainable Fisheries Division P.O. Box 21668 Juneau, AK 99802-1668 FAX 907-586-7131 Ph. 907-586-7228	
	Revision <input type="checkbox"/>		

Processors: Please complete and submit this form for each catcher vessel delivery of groundfish CDQ to shoreside processors or stationary floating processors. Reports must be submitted to NMFS within 24 hours of each delivery.

Block 1. CDQ Group Information	
A. CDQ Group Number:	B. Group Name:

Block 2. Processor Information	
A. Processor Name:	
B. Federal Processor Permit Number:	C. Date Submitted:

Block 3. Vessel and Catch Information		
A. Vessel Name:	B. Federal Fisheries Permit No.	C. ADF&G Number:
D. Delivery Date:	E. Date Fishing Began:	
F. Harvest gear type: (circle one) Hook-and-line Pot Non-pelagic trawl Pelagic Trawl Jig Other		
G. Federal Reporting Area:	H. For trawl gear, check if catch was made in: <input type="checkbox"/> CVOA <input type="checkbox"/> COBLZ	

Block 4. Groundfish CDQ Species in this delivery (continued next page)					
Species Code	Product Code	Weight (mt)	Species Code	Product Code	Weight (mt)

Block 4, continued. Groundfish CDQ species in this delivery					
Species Code	Product Code	Weight (mt)	Species Code	Product Code	Weight (mt)

Block 5. Halibut CDQ, Halibut IFQ, and Sablefish IFQ in this delivery (such catch must also be reported to NMFS via an IFQ Landing Report)						
Category/species code	Product Code	Weight (mt)	Product Code	Weight (mt)	Product Code	Weight (mt)
Halibut CDQ (200)						
Halibut IFQ (200)						
Sablefish IFQ (710)						

Block 6. PSQ Species Delivered and Discarded from processor (Product Code 86 or 99) (Note: Halibut PSQ should be listed by weight, <u>not</u> numbers.)					
Species Code	Weight or Numbers	Species Code	Weight or Numbers	Species Code	Weight or Numbers

Block 7. At-sea Discards of PSQ by vessels <u>without</u> observers (Note: Halibut PSQ should be listed by weight, <u>not</u> numbers.)					
Species Code	Product Code	Weight/numbers	Species Code	Product Code	Weight/numbers
	98			98	
	98			98	

CDQ Delivery Report: Instructions

Community Development Quota Program

National Marine Fisheries Service
Sustainable Fisheries Division
P.O. Box 21668
Juneau, AK 99802-1668
FAX 907-586-7131
Ph. 907-586-7228



General

CDQ Delivery Reports are required for all Community Development Quota (CDQ) and Prohibited Species Quota (PSQ) catch made by catcher vessels and delivered to shoreside processors or stationary floating processors. Submit reports to the above FAX number.

Submittal Deadline

Managers of shoreside processors or operators of stationary floating processors must submit a CDQ delivery report to NMFS within 24 hours of each delivery of groundfish CDQ species.

Notes and References

Federal Reporting Areas: see 50 CFR part 679, Figure 1.

Species codes (including Prohibited Species): see 50 CFR part 679, Table 2.

(Use species code 139 for any Sebastes or Sebastolobus species code reported on observer data for which no species code is listed in Table 2).

Product codes: for groundfish, see 50 CFR part 679, Table 1.

Round weight: enter to the nearest 0.001 metric ton (mt).

Instructions

Indicate whether this is an original or revised report.

Block 1 - CDQ Group Information

- A. Enter the CDQ group identification number.
- B. Enter the CDQ group name or acronym.

Block 2 - Processor Information

- A. Enter the name of the processor taking delivery of this CDQ catch.
- B. Enter the Federal Processor Permit number.
- C. Enter the date this report was submitted to NMFS.

Block 3 - Vessel and Catch Information

- A. Enter the name of the vessel used to harvest this CDQ catch.
- B. Enter vessel's Federal Fisheries Permit number.
- C. Enter the ADF&G number for this vessel.
- D. Enter the date catch was delivered to processor.
- E. Enter the date fishing began.
- F. Circle the gear type used to harvest this catch.
- G. Enter the federal reporting area where CDQ catch was harvested (if a haul or set occurs in more than one area, record the area code where gear retrieval was completed).
- H. If catch was made using trawl gear, check one or both boxes to indicate if catch was made in the Catcher Vessel Operational Area (CVOA) or C. Opilio Bycatch Limitation Zone (COBLZ). These are shown and described at 50 CFR part 679, Figures 2 and 13, respectively.

Block 4 - Groundfish CDQ species in this delivery

Enter the appropriate species code, product code, and weight (in metric tons) for each CDQ groundfish species in this delivery.

Block 5 - Halibut CDQ, Halibut IFQ, and Sablefish IFQ

For non-trawl vessels only, enter the product code and product weight for any halibut CDQ, halibut IFQ, and sablefish IFQ in this delivery. Such catch must also be reported to NMFS via an IFQ landing report.

Block 6 - PSQ species delivered and discarded from plant

Enter the species code and amount of each prohibited species in this delivery. For salmon or crab, enter number of animals rather than weight. For halibut, enter weight in metric tons.

Block 7 - At-sea discards of PSQ for vessels without observers

For at sea PSQ discards by vessels without observers, enter the species code and weight of each species. For salmon or crab, enter the number of animals rather than weight. (NMFS will obtain PSQ data for vessels with observers from observer data.)

PUBLIC REPORTING BURDEN STATEMENT
Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Sue Salveson, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802 (Attn: Lori Gravel).
ADDITIONAL INFORMATION
Before completing this form please note the following: 1) Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number; 2) This information is mandatory and is required to manage commercial fishing effort under 50 CFR part 679 and under section 402(a) of the Magnuson-Stevens Act (16 U.S.C. 1801, <u>et seq.</u>); 3) Responses to this information request are confidential under section 402(b) of the Magnuson-Stevens Act (16 U.S.C. 1801, <u>et seq.</u>). It is also confidential under NOAA Administrative Order 216-100, which sets forth procedures to protect confidentiality of fishery statistics. These procedures have been implemented under the NMFS Operations Manual entitled, "Data Security Handbook for the Northwest-Alaska Region National Marine Fisheries Service."

§ 679.30

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(ii) The date the engineer measured the bins and witnessed the location of the marked increments and numerals;

(iii) A diagram, to scale, of each bin showing the location of the marked increments on each internal wall of the bin, the location, and dimensions of each viewing port or hatch, and any additional information needed to estimate the volume of fish in the bin;

(iv) Tables indicating the volume of each certified bin in cubic meters for each 10-cm increment marked on the sides of the bins;

(v) Instructions for determining the volume of fish in each bin from the marked increments and table; and

(vi) The person's name and signature and the date on which the completed bin certification documents were signed.

(4) *Recertification.* The bin's volume and the marked and numbered increments must be recertified if the bin is modified in a way that changes its size or shape or if marking strips or marked increments are moved or added.

(5) *Operational requirements—(i) Placement of catch in certified bins.* All catch must be placed in a bin certified under this paragraph (e) to estimate total catch weight prior to sorting. Refrigerated seawater tanks may be used for volumetric estimates only if the tanks comply with all other requirements of this paragraph (e). No adjustments of volume will be made for the presence of water in the bin or tank.

(ii) *Prior notification.* Vessel operators must notify observers prior to any removal of fish from or addition of fish to each bin used for volumetric measurements of catch so that an observer may make bin volume estimates prior to fish being removed from or added to the bin. Once a volumetric estimate has been made, additional fish may not be added to the bin until at least half the original volume has been removed. Fish may not be removed from or added to a bin used for volumetric estimates of catch weight until an observer indicates that bin volume estimates have been completed and any samples of catch required by the observer have been taken.

(iii) Fish from separate hauls or deliveries from separate harvesting ves-

sels may not be mixed in any bin used for volumetric measurements of catch.

(iv) The bins must not be filled in a manner that obstructs the viewing ports or prevents the observer from seeing the level of fish throughout the bin.

[63 FR 5843, Feb. 4, 1998, as amended at 63 FR 30401, June 4, 1998; 65 FR 61982, Nov. 15, 1999; 65 FR 33782, May 25, 2000]

EFFECTIVE DATE NOTE: At 63 FR 5836, Feb. 4, 1998, § 679.28 was added, effective Mar. 6, 1998, except paragraph (b)(2)(iii)(B). This paragraph contains information collection and recordkeeping requirements and will not become effective until approval has been given by the Office of Management and Budget.

Subpart C—Western Alaska Community Development Quota Program

§ 679.30 General CDQ regulations.

(a) *Application procedure.* The CDQ program is a voluntary program. Allocations of CDQ and PSQ are made to CDQ groups and not to vessels or processors fishing under contract with any CDQ group. Any vessel or processor harvesting or processing CDQ or PSQ under a CDP must comply with all other requirements of this part. In addition, the CDQ group is responsible to ensure that vessels and processors listed as eligible on the CDQ group's approved CDP comply with all requirements of this part while harvesting or processing CDQ species. Allocations of CDQ and PSQ are harvest privileges that expire upon the expiration of the CDP. When a CDP expires, further CDQ allocations are not implied or guaranteed, and a qualified applicant must re-apply for further allocations on a competitive basis with other qualified applicants. The CDQ allocations provide the means for CDQ groups to complete their CDQ projects. A qualified applicant may apply for CDQ and PSQ allocations by submitting a proposed CDP to the State during the CDQ application period that is announced by the State. A proposed CDP must include the following information:

(1) *Community development information.* Community development information includes:

(i) *Project description.* A detailed description of all proposed CDQ projects, including the short-and long-term benefits to the qualified applicant from the proposed CDQ projects. CDQ projects should not be designed with the expectation of CDQ allocations beyond those requested in the proposed CDP.

(ii) *Project schedule.* A schedule for the completion of each CDQ project with measurable milestones for determining the progress of each CDQ project.

(iii) *Employment.* The number of individuals to be employed through the CDP projects, and a description of the nature of the work and the career advancement potential for each type of work.

(iv) *Community eligibility.* A list of the participating communities. Each participating community must be listed in Table 7 to this part or meet the criteria for an eligible community under § 679.2.

(v) *Community support.* A demonstration of each participating community's support for the qualified applicant and the managing organization through an official letter approved by the governing body of each such community.

(2) *Managing organization information.* A proposed CDP must include the following information about the managing organization:

(i) *Structure and personnel.* A description of the management structure and key personnel of the managing organization, such as resumes and references, including the name, address, fax number, and telephone number of the qualified applicant's CDQ representative.

(ii) *Management qualifications.* A description of how the managing organization is qualified to carry out the CDP projects in the proposed CDP, and a demonstration that the managing organization has the management, technical expertise, and ability to manage CDQ allocations and prevent exceeding a CDQ or PSQ.

(iii) *Legal relationship.* Documentation of the legal relationship between the qualified applicant and the managing organization (if the managing organization is different from the qualified applicant) clearly describing the responsibilities and obligations of each

party as demonstrated through a contract or other legally binding agreement.

(iv) *Board of directors.* The name, address, and telephone number of each member of the board of directors of the qualified applicant. If a qualified applicant represents more than one community, the board of directors of the qualified applicant must include at least one member from each of the communities represented.

(3) *Business information.* A proposed CDP must include the following business information:

(i) *Business relationships.* A description of all business relationships between the qualified applicant and all individuals who have a financial interest in a CDQ project or subsidiary venture, including, but not limited to, any arrangements for management and audit control and any joint venture arrangements, loans, or other partnership arrangements, including the distribution of proceeds among the parties.

(ii) *Profit sharing.* A description of all profit sharing arrangements.

(iii) *Funding.* A description of all funding and financing plans.

(iv) *General budget for implementing the CDP.* A general account of estimated income and expenditures for each CDQ project for the total number of calendar years that the CDP is in effect.

(v) *Financial statement for the qualified applicant.* The most recent audited income statement, balance sheet, cash flow statement, management letter, and agreed upon procedures report.

(vi) *Organizational chart.* A visual representation of the qualified applicant's entire organizational structure, including all divisions, subsidiaries, joint ventures, and partnerships. This chart must include the type of legal entity for all divisions, subsidiaries, joint ventures, and partnerships; state of registration of the legal entity; and percentage owned by the qualified applicant.

(4) *Request for CDQ and PSQ allocations.* A list of the percentage of each CDQ reserve and PSQ reserve, as described at § 679.31 that is being requested. The request for allocations of CDQ and PSQ must identify percentage

allocations requested for CDQ fisheries identified by the primary target species of the fishery as defined by the qualified applicant and the gear types of the vessels that will be used to harvest the catch.

(5) *Fishing plan for groundfish and halibut CDQ fisheries.* The following information must be provided for all vessels that will be groundfish CDQ fishing, all vessels equal to or greater than 60 ft (18.3 m) LOA that will be halibut CDQ fishing, and for all shoreside processors that will take delivery of groundfish CDQ species from these vessels.

(i) *List of eligible vessels and processors—(A) Vessels—(1) Information required for all vessels.* A list of the name, Federal fisheries permit number (if applicable), ADF&G vessel number, LOA, gear type, and vessel type (catcher vessel, catcher/processor, or mothership). For each vessel, report only the gear types and vessel types that will be used while CDQ fishing. Any CDQ vessel that is exempt from license limitation requirements under § 679.4(k)(2)(iv) of this part must be identified as such.

(2) *Information required for observed vessels using trawl or hook-and-line gear and motherships taking deliveries from these vessels.* For each catcher/processor and catcher vessel 60 ft (18.29 m) LOA or greater using trawl or hook-and-line gear and not delivering unsorted codends, or for each mothership, the CDP must include the following information that will be used by NMFS to determine whether sufficient observer coverage is provided to sample each CDQ haul, set, or delivery. Provide the information for groundfish CDQ fishing as defined under § 679.2 and provide separate information by management area or fishery if information differs among management areas or fisheries.

(i) Number of CDQ observers that will be aboard the vessel. For catcher/processors using hook-and-line gear proposing to carry only one CDQ observer, the CDP must include vessel logbook or observer data that demonstrates that one CDQ observer can sample each set for species composition in one 12-hour shift per fishing day.

(ii) Average and maximum number of hauls or sets that will be retrieved on any given fishing day while groundfish CDQ fishing.

(iii) For vessels using trawl gear, the average and maximum total catch weight for any given haul while groundfish CDQ fishing.

(iv) For vessels using trawl gear, the number of hours necessary to process the average and maximum haul size while groundfish CDQ fishing.

(v) For vessels using hook-and-line gear, the average number of hooks in each set and estimated time it will take to retrieve each set while groundfish CDQ fishing.

(vi) Whether any halibut CDQ will be harvested by vessels groundfish CDQ fishing.

(B) *Shoreside processors.* A list of the name, Federal processor permit number, and location of each shoreside processor that is required to have a Federal processor permit under § 679.4(f) and will take deliveries of, or process, groundfish CDQ catch from any vessel groundfish CDQ fishing or from vessels equal to or greater than 60 ft (18.3 m) LOA that are halibut CDQ fishing.

(ii) *Sources of data or methods for estimating CDQ and PSQ catch.* The sources of data or methods that will be used to determine catch weight of CDQ and PSQ for each vessel or processor proposed as eligible under the CDP. For each vessel or processor, the CDP must specify whether the NMFS' standard sources of data set forth at § 679.32(d)(2) or some other alternative will be used. For catcher vessels using nontrawl gear, the CDP must also specify whether the vessel will be retaining all groundfish CDQ catch (Option 1) or will be discarding some groundfish CDQ catch at sea (Option 2). The qualified applicant may propose the use of an alternative method such as the sorting and weighing of all catch by species on processor vessels or using larger sample sizes than could be collected by one observer. NMFS will review the proposal and approve it or notify the qualified applicant in writing if the proposed alternative does not meet these requirements. The qualified applicant may remove the vessel or processor for which the alternative method is proposed from the proposed CDP to facilitate approval of the CDP and add the vessel or processor to the approved CDP by substantial amendment at a

later date. Alternatives to the requirement for a certified scale or an observer sampling station may not be proposed. NMFS will review the alternative proposal to determine if it meets all of the following requirements:

(A) The alternative proposed must provide equivalent or better estimates than use of the NMFS standard data source would provide and the estimates must be independently verifiable;

(B) Each haul or set on an observed vessel must be able to be sampled by an observer for species composition;

(C) Any proposal to sort catch before it is weighed must assure that the sorting and weighing process will be monitored by an observer; and

(D) The time required for the CDQ observer to complete sampling, data recording, and data communication duties shall not exceed 12 hours in each 24-hour period and the CDQ observer is required to sample no more than 9 hours in each 24-hour period.

(iii) *Amendments to the list of eligible vessels and processors.* The list of eligible vessels and processors may be amended by submitting the information required in paragraphs (a)(5)(i) and (ii) of this section as an amendment to the approved CDP. A technical amendment may be used to remove any vessel from a CDP, to add any vessel to a CDP if the CDQ group will use NMFS' standard sources of data to determine CDQ and PSQ catch for the vessel, or to add any vessel to a CDP for which an alternative method of determining CDQ and PSQ catch has been approved by NMFS under an approved CDP for another CDQ group. A substantial amendment must be used to add a vessel to an approved CDP if the CDQ group submits a proposed alternative method of determining CDQ and PSQ catch for NMFS review.

(6) *CDQ planning*—(i) *Transition plan.* A proposed CDP must include an overall plan and schedule for transition from reliance on CDQ allocations to self-sufficiency in fisheries. The plan for transition to self-sufficiency must be based on the qualified applicant's long-term revenue stream without CDQs.

(ii) *Post-allocation plan.* [Reserved]

(b) *Public hearings on CDQ application.* When the CDQ application period has ended, the State must hold a public hearing to obtain comments on the proposed CDPs from all interested persons. The hearing must cover the substance and content of proposed CDPs so that the general public, particularly the affected parties, have a reasonable opportunity to understand the impact of the proposed CDPs. The State must provide reasonable public notification of hearing date and location. At the time of public notification of the hearing, the State must make available for public review all State materials pertinent to the hearing.

(c) *Council consultation.* Before the State sends its recommendations for approval of proposed CDPs to NMFS, the State must consult with the Council and make available, upon request, the proposed CDPs that are not part of the State's recommendations.

(d) *Review and approval of proposed CDPs.* The State must transmit the proposed CDPs and its recommendations for approval of each of the proposed CDPs to NMFS, along with the findings and the rationale for the recommendations, by October 15 of the year prior to the first year of the proposed CDP, except in 1998, when CDPs for the 1998 through 2000 multispecies groundfish CDQs must be submitted by July 6, 1998. The State shall determine in its recommendations for approval of the proposed CDPs that each proposed CDP meets all applicable requirements of this part. Upon receipt by NMFS of the proposed CDPs and the State's recommendations for approval, NMFS will review the proposed CDPs and approve those that it determines meet all applicable requirements. NMFS shall approve or disapprove the State's recommendations within 45 days of their receipt. In the event of approval of the CDP, NMFS will notify the State in writing that the proposed CDP is approved by NMFS and is consistent with all requirements for CDPs. If NMFS finds that a proposed CDP does not comply with the requirements of this part, NMFS must so advise the State in writing, including the reasons thereof. The State may submit a revised proposed CDP along with revised recommendations for approval to NMFS.

(e) *Transfer.* CDQ groups may request that NMFS transfer CDQ allocations, CDQ, PSQ allocations, or PSQ from one group to another by each group filing an appropriate amendment to its CDP. Transfers of CDQ and PSQ allocations must be in whole integer percentages, and transfers of CDQ and PSQ must be in whole integer amounts. If NMFS approves both amendments, NMFS will make the requested transfer(s) by decreasing the account balance of the CDQ group from which the CDQ or PSQ species is transferred by the amount transferred and by increasing the account balance of the CDQ group receiving the transferred CDQ or PSQ species by the amount transferred. NMFS will not approve transfers to cover overages of CDQ or PSQ.

(1) *CDQ allocation.* CDQ groups may request that NMFS transfer any or all of one group's CDQ allocation to another by each group filing an amendment to its CDP through the CDP substantial amendment process set forth at paragraph (g)(4) of this section. The CDQ allocation will be transferred as of January 1 of the calendar year following the calendar year NMFS approves the amendments of both groups and is effective for the duration of the CDPs.

(2) *CDQ.* CDQ groups may request that NMFS transfer any or all of one group's CDQ for a calendar year to another by each group filing an appropriate amendment to its CDP. If the amount to be transferred is 10 percent or less of a group's initial CDQ amount for that year, that group's request may be made through the CDP technical amendment process set forth at paragraph (g)(5) of this section. If the amount to be transferred is greater than 10 percent of a group's initial CDQ amount for the year, that group's request must be made through the CDP substantial amendment process set forth at paragraph (g)(4) of this section. The CDQ will be transferred as of the date NMFS approves the amendments of both groups and is effective only for the remainder of the calendar year in which the transfer occurs.

(3) *PSQ allocation.* CDQ groups may request that NMFS transfer any or all of one group's PSQ allocation to another CDQ group through the CDP sub-

stantial amendment process set forth at paragraph (g)(4) of this section. Each group's request must be part of a request for the transfer of a CDQ allocation, and the requested amount of PSQ allocation must be the amount reasonably required for bycatch needs during the harvesting of the CDQ. Requests for the transfer of a PSQ allocation may be submitted to NMFS from January 1 through January 31. Requests for transfers of a PSQ allocation will not be accepted by NMFS at other times of the year. The PSQ allocation will be transferred as of January 1 of the calendar year following the calendar year NMFS approves the amendments of both groups and is effective for the duration of the CDPs.

(4) *PSQ.* CDQ groups may request that NMFS transfer any or all of one group's PSQ for one calendar year to another by each group filing an amendment to its CDP through the CDP substantial amendment process set forth at paragraph (g)(4) of this section. Each group's request must be part of a request for the transfer of CDQ, and the requested amount of PSQ must be the amount reasonably required for bycatch needs during the harvesting of the CDQ. Requests for the transfer of PSQ may be submitted to NMFS from January 1 through January 31. Requests for transfers of PSQ will not be accepted by NMFS at other times of the year. The PSQ will be transferred as of the date NMFS approves the amendments of both groups and is effective only for the remainder of the calendar year in which the transfer occurs.

(f) *CDQ group responsibilities.* A CDQ group's responsibilities include, but are not limited to, the following:

(1) Direct and supervise all activities of the managing organization;

(2) Maintain the capability to communicate with all vessels harvesting its CDQ and PSQ at all times;

(3) Monitor the catch of each CDQ or PSQ;

(4) Submit the CDQ catch report described at § 679.5(n)(2);

(5) Ensure that no CDQ, halibut PSQ, or crab PSQ is exceeded;

(6) Ensure that the CDQ group's CDQ harvesting vessels and CDQ processors will:

(i) Provide observer coverage, equipment, and operational requirements for CDQ catch monitoring;

(ii) Provide for the communication of observer data from their vessels to NMFS and the CDQ representative;

(iii) Maintain contact with the CDQ group for which it is harvesting CDQ and PSQ;

(iv) Cease fishing operations when requested by the CDQ group; and

(v) Comply with all requirements of this part while harvesting or processing CDQ species.

(7) Comply with all requirements of this part.

(g) *Monitoring of CDPs*—(1) *Annual progress report.* (i) The State must submit to NMFS, by October 31 of each year, an annual progress report for the previous calendar year for each CDP.

(ii) Annual progress reports must be organized on a project-by-project basis and include information for each CDQ project in the CDP describing how each scheduled milestone in the CDP has been met, and an estimation by the State of whether each of the CDQ projects in the CDP is likely to be successful.

(iii) The annual report must include a description by the State of any problems or issues in the CDP that the State encountered during the annual report year.

(2) *Annual budget report.* (i) Each CDQ group must submit to NMFS an annual budget report by December 15 preceding the year for which the annual budget applies.

(ii) An annual budget report is a detailed estimate of the income from the CDQ project and of the expenditures for each subsidiary, division, joint venture, partnership, investment activity, or CDQ project as described in paragraph (a)(1)(i) of this section for a calendar year. A CDQ group must identify the administrative costs for each CDQ project. The CDQ group's total administrative costs will be considered a separate CDQ project.

(iii) An annual budget report is approved upon receipt by NMFS, unless disapproved by NMFS in writing by December 31. If disapproved, the annual budget report will be returned to the CDQ group for revision and resubmittal to NMFS.

(3) *Annual budget reconciliation report.*

A CDQ group must reconcile its annual budget by May 30 of the year following the year for which the annual budget applied. Reconciliation is an accounting of the annual budget's estimated income and expenditures with the actual income and expenditures, including the variance in dollars and variance in percentage for each CDQ project that is described in paragraph (a)(1)(i) of this section.

(4) *Substantial amendments.* A CDP is a working business plan and must be kept up to date.

(i) Substantial amendments to a CDP require a written request by the CDQ group to the State and NMFS for approval of the amendment. The State must forward the amendment to NMFS with a recommendation as to whether it should be approved.

(ii) NMFS will notify the State in writing of the approval or disapproval of the amendment within 30 days of receipt of both the amendment and the State's recommendation. Except for substantial amendments for the transfer of CDQ and PSQ, which are effective only for the remainder of the calendar year in which the transfer occurs (see paragraphs (e)(2) and (4) of this section), once a substantial amendment is approved by NMFS, the amendment will be effective for the duration of the CDP.

(iii) If NMFS determines that the CDP, if changed, would no longer meet the requirements of this subpart, NMFS will notify the State in writing of the reasons why the amendment cannot be approved.

(iv) For the purposes of this section, substantial amendments are defined as changes in a CDP, including, but not limited to:

(A) Any change in the list of communities comprising the CDQ group or replacement of the managing organization.

(B) A change in the CDP applicant's harvesting or processing partner.

(C) Funding a CDP project in excess of \$100,000 that is not part of an approved general budget.

(D) More than a 20-percent increase in the annual budget of an approved CDP project.

(E) More than a 20-percent increase in actual expenditures over the approved annual budget for administrative operations.

(F) A change in the contractual agreement(s) between the CDQ group and its harvesting or processing partner or a change in a CDP project, if such change is deemed by the State or NMFS to be a material change.

(G) Any transfer of a CDQ allocation, PSQ allocation, PSQ, or a transfer of more than 10 percent of a CDQ.

(H) The addition of a vessel to a CDP if the CDQ group submits a proposed alternative method of determining CDQ and PSQ catch under paragraph (a)(5)(ii) of this section for NMFS review.

(v) The request for approval of a substantial amendment to a CDP shall include the following information:

(A) The background and justification for the amendment that explains why the proposed amendment is necessary and appropriate.

(B) An explanation of why the proposed change to the CDP is a substantial amendment.

(C) A description of the proposed amendment, explaining all changes to the CDP that result from the proposed amendment.

(D) A comparison of the original CDP text, with the text of the proposed changes to the CDP, and the revised pages of the CDP for replacement in the CDP binder. The revised pages must have the revision date noted, with the page number on all affected pages. The table of contents may also need to be revised to reflect any changes in pagination.

(E) Identification of any NMFS findings that would need to be modified if the amendment is approved, along with the proposed modified text.

(F) A description of how the proposed amendment meets the requirements of this subpart. Only those CDQ regulations that are affected by the proposed amendment need to be discussed.

(5) *Technical amendments.* Any change to a CDP that is not considered a substantial amendment under paragraph (g)(4)(iv) of this section is a technical amendment.

(i) The CDQ group must notify the State in writing of any technical

amendment. Such notification must include a copy of the pages of the CDP that would be revised by the amendment, with the text highlighted to show the proposed deletions and additions, and a copy of the CDP pages as they would be revised by the proposed amendment for insertion into the CDP binder. All revised CDP pages must include the revision date, amendment identification number, and CDP page number. The table of contents may also need to be revised to reflect any changes in pagination.

(ii) The State must forward the technical amendment to NMFS with its recommendations for approval or disapproval of the amendment. A technical amendment is approved by NMFS and is effective when, after review, NMFS notifies the State in writing of the technical amendment's receipt and approval.

(h) *Suspension or termination of a CDP.* An annual progress report, required under paragraph (g)(1) of this section, will be used by the State to review each CDP to determine whether the CDP, CDQ, and PSQ allocations thereunder should be continued, decreased, partially suspended, suspended, or terminated under the following circumstances:

(1) If the State determines that the CDP will successfully meet its goals and objectives, the CDP may continue without any Secretarial action.

(2) If the State recommends to NMFS that an allocation be decreased, the State's recommendation for decrease will be deemed approved if NMFS does not notify the State in writing within 30 days of receipt of the State's recommendation.

(3) If the State determines that a CDP has not successfully met its goals and objectives or appears unlikely to become successful, the State may submit a recommendation to NMFS that the CDP be partially suspended, suspended, or terminated. The State must set out, in writing, the reasons for recommending suspension or termination of the CDP.

(4) After review of the State's recommendation and reasons thereof, NMFS will notify the Governor, in writing, of approval or disapproval of the recommendation within 30 days of

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its receipt. In the case of suspension or termination, NMFS will publish notification in the FEDERAL REGISTER, with reasons thereof.

[63 FR 30403, June 4, 1998, as amended at 64 FR 3882, Jan. 26, 1999; 64 FR 20214, Apr. 26, 1999; 65 FR 45318, July 21, 2000]

EFFECTIVE DATE NOTE: At 63 FR 30403, June 4, 1998, § 679.30 was revised. Section 679.30(a)(5)(i)(A)(2) contains information collection and recordkeeping requirements and will not become effective until approval has been given by the Office of Management and Budget.

§ 679.31 CDQ reserves.

Portions of the CDQ and PSQ reserves for each subarea or district may be allocated for the exclusive use of CDQ applicants in accordance with CDPs approved by the Governor in consultation with the Council and approved by NMFS. NMFS will allocate no more than 33 percent of the total CDQ for all subareas and districts combined to any one applicant with an approved CDP application.

(a) *Pollock CDQ reserve.* In the proposed and final harvest specifications required by § 679.20(c), one-half of the pollock TAC placed in the reserve for each subarea or district of the BSAI will be apportioned to a CDQ reserve for each subarea or district.

(b) *Halibut CDQ reserve.* (1) NMFS will annually withhold from IFQ allocation the proportions of the halibut catch limit that are specified in paragraph (b) of this section for use as a CDQ reserve.

(2) Portions of the CDQ for each specified IPHC regulatory area may be allocated for the exclusive use of an eligible Western Alaska community or group of communities in accordance with a CDP approved by the Governor in consultation with the Council and approved by NMFS.

(3) The proportions of the halibut catch limit annually withheld for the halibut CDQ program, exclusive of issued QS, and the eligible communities for which they shall be made available are as follows for each IPHC regulatory area (see Figure 15 to this part):

(i) *Area 4B.* In IPHC regulatory area 4B, 20 percent of the annual halibut quota shall be made available to eligi-

ble communities physically located in, or proximate to, this regulatory area.

(ii) *Area 4C.* In IPHC regulatory area 4C, 50 percent of the halibut quota shall be made available to eligible communities physically located in IPHC regulatory area 4C.

(iii) *Area 4D.* In IPHC regulatory area 4D, 30 percent of the annual halibut quota shall be made available to eligible communities located in, or proximate to, IPHC regulatory areas 4D and 4E.

(iv) *Area 4E.* In IPHC regulatory area 4E, 100 percent of the halibut quota shall be made available to eligible communities located in, or proximate to, IPHC regulatory area 4E. A fishing trip limit of 6,000 lb (2.7 mt) applies to halibut CDQ harvesting in IPHC regulatory area 4E.

(4) For the purposes of this section, “proximate to” an IPHC regulatory area means within 10 nm from the point where the boundary of the IPHC regulatory area intersects land.

(c) *Groundfish CDQ reserves.* (See § 679.20(b)(1)(iii))

(d) *Crab CDQ reserves.* King and Tanner crab species in the Bering Sea and Aleutian Islands Area that have a guideline harvest level specified by the State of Alaska that is available for commercial harvest are apportioned to a crab CDQ reserve as follows:

(1) For calendar year 2000, and thereafter, 7.5 percent; and

(2) For calendar year 1999 (applicable through December 31, 1999), 5 percent.

(e) *PSQ reserve.* (See § 679.21(e)(1)(i) and (e)(2)(ii)).

(f) *Non-specific CDQ reserve.* Annually, NMFS will apportion 15 percent of each squid, arrowtooth flounder, and “other species” CDQ for each CDQ group to a non-specific CDQ reserve. A CDQ group’s non-specific CDQ reserve must be for the exclusive use of that CDQ group. A release from the non-specific CDQ reserve to the CDQ group’s squid, arrowtooth flounder, or “other species” CDQ is a technical amendment as described in § 679.30(g)(5). The technical amendment must be approved before harvests relying on CDQ transferred

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(iv) *Condition code.* The product code from Table 1 to this part which describes the condition of the fish received by the mothership from the catcher vessel. In most cases, this will be product code 01, whole fish.

(v) *Statistical area.* ADF&G 6-digit statistical area in which groundfish were harvested. If there are more than eight statistical areas for a fish ticket in a weekly reporting period, complete a second fish ticket. These statistical areas are defined in a set of charts obtained at no charge from Alaska Commercial Fisheries Management & Development Division, Department of Fish and Game, 211 Mission Road, Kodiak, AK, 99615-6399.

(vi) *Pounds.* The landed weight of each species to the nearest pound. If working in metric tons, convert to pounds using 2205 lb = 1 metric ton before recording on fish ticket.

(5) *Time limit and submittal.* (i) The operator of a mothership must complete the consolidated weekly ADF&G groundfish fish ticket for each catcher vessel by 1200 hours, A.l.t., on Tuesday following the end of the applicable weekly reporting period. A fax copy is not acceptable.

(ii) The operator of a mothership must ensure copy distribution or retention of the multiple copies of each consolidated weekly ADF&G groundfish fish ticket (G series) as follows:

If color of fish ticket is:	Distribute to:	Time limit to submit:
(A) White	Retained by Mothership, see paragraph (a)(13)(ii)(D)(6).	Within 30 days after landings are received.
(B) Yellow	Alaska Commercial Fisheries Management & Development Division, Department of Fish and Game, 211 Mission Road, Kodiak, AK, 99615-6399.	
(C) Pink	Catcher vessel delivering groundfish to the mothership.	1200 hours, A.l.t., on Tuesday following the end of the applicable weekly reporting period.
(D) Goldenrod	Extra copy.	

(n) *Groundfish CDQ fisheries—(1) CDQ delivery report—(i) Applicability.* The manager of each shoreside processor and the operator of each vessel of the United States operating solely as a mothership in Alaska State waters and taking deliveries of CDQ or PSQ species from catcher vessels must submit a CDQ delivery report for each delivery of groundfish CDQ or PSQ species.

(ii) *Time limitation and submittal.* The manager or operator as defined at paragraph (n)(1)(i) of this section must submit to the Regional Administrator a CDQ delivery report within 24 hours of completion of each delivery of groundfish CDQ or PSQ species to the processor.

(iii) *Information required.* The manager or operator as defined at paragraph (n)(1)(i) of this section must record the following information on each CDQ delivery report:

(A) *CDQ group information.* CDQ group number as defined at § 679.2 and CDQ group name or acronym.

(B) *Processor information.* (1) Name and federal processor permit number of the processor as defined at paragraph

(n)(1)(i) of this section taking delivery of the CDQ catch.

(2) Date delivery report submitted.

(C) *Vessel information.* Enter the name, federal Fisheries Permit number if applicable, and ADF&G number of the vessel delivering CDQ catch. Write “unnamed” if the vessel has no name.

(D) *CDQ catch information.* (1) Enter the delivery date, CDQ delivery number, harvest gear type, and reporting area of CDQ harvest for each CDQ delivery. If caught with trawl gear, check appropriate box(es) to indicate if catch was made in the CVOA or the COBLZ.

(2) Enter groundfish CDQ species that were delivered to the processor as defined at paragraph (n)(1)(i) of this section by product codes and species codes as defined in Tables 1 and 2 to this part, respectively.

(3) *Weight.* Report the weight of each CDQ species in metric tons to at least the nearest 0.001 mt.

(E) *Halibut CDQ/IFQ and Sablefish IFQ information.* Report the weight of all halibut CDQ, halibut IFQ, or sablefish IFQ in the CDQ delivery that also

was reported to NMFS on an IFQ landing report by product codes and species codes as defined in Tables 1 and 2 to this part, respectively.

(F) *PSQ information.* Whether PSQ delivered by observed catcher vessels or at-sea discards of PSQ by vessels without observers, record the following information:

(1) For each prohibited species other than salmon or crab, enter the species code as defined in Table 2 to this part and the weight to the nearest 0.001 mt.

(2) For salmon or crab, enter the species code as defined in Table 2 to this part and the number of animals.

(2) *CDQ catch report*—(i) *Applicability.* The CDQ representative must submit a CDQ catch report for all catch made by catcher/processors or made by catcher vessels groundfish CDQ fishing as defined at § 679.2 and delivered to a shore-side processor, to a vessel of the United States operating solely as a mothership in Alaska State waters, or to a mothership.

(ii) *Time limitation and submittal.* The CDQ representative must submit to the Regional Administrator a CDQ catch report for each delivery of groundfish CDQ species within 7 days of the date a catcher vessel delivered CDQ catch to a processor as defined in paragraph (n)(2)(i) of this section, or within 7 days of the date catcher/processors retrieved gear used to catch CDQ.

(iii) *Information required, all CDQ catch reports.* The CDQ representative must record the following information on each CDQ catch report:

(A) *Vessel information*—(1) Select appropriate vessel/gear/delivery type. Based on the type selected, complete each of the specified blocks.

(2) Enter the name, Federal fisheries permit number if applicable, and ADF&G number of the vessel delivering CDQ catch. Write “unnamed” if the vessel has no name.

(3) Indicate gear type used to harvest CDQ catch. If using trawl gear, check the appropriate box(es) to indicate any catch from the CVOA or COBLZ.

(B) *Reporting area.* Enter Federal reporting area in which CDQ catch occurred.

(C) *CDQ group information.* (1) CDQ number as defined at § 679.2 and CDQ group name or acronym.

(2) Date report submitted.

(iv) *Information required for catcher vessels retaining all groundfish CDQ and delivering to a shoreside processor or a vessel of the United States operating solely as a mothership in Alaska State waters (Option 1 in the CDP).* The CDQ representative must record the following information on each applicable CDQ catch report:

(A) *Delivery information.* (1) Name and Federal processor permit number of the shoreside processor or the mothership operating solely in Alaska State waters taking delivery of the CDQ catch.

(2) Date catch delivered.

(3) Catcher vessel CDQ delivery number.

(B) *Catch information, groundfish CDQ species.* Report the weight in metric tons to at least the nearest 0.001 mt for each groundfish CDQ species retrieved by a catcher/processor or delivered to a processor as defined in paragraph (n)(1)(i) by product code and species code as defined in Tables 1 and 2 to this part, respectively.

(C) *Catch information, halibut IFQ/CDQ and sablefish IFQ.* The CDQ representative must report the weight of all halibut CDQ, halibut IFQ, and sablefish IFQ in the CDQ delivery that also was reported to NMFS on an IFQ landing report in metric tons to at least the nearest 0.001 mt by product code and species code as defined in Tables 1 and 2 to this part, respectively.

(D) *Mortality information, salmon and crab PSQ.* For salmon or crab, enter the species code, as defined in Table 2 to this part, and the number of animals.

(E) *Mortality information, halibut PSQ.* For halibut PSQ catch, enter the round weight to the nearest 0.001 mt, mortality rate, and overall halibut mortality in metric tons to the nearest 0.001 mt. Use the target fishery designations and halibut bycatch mortality rates in the annual final specifications published in the FEDERAL REGISTER under § 679.20(c).

(v) *Information required for catcher/processors, catcher vessels delivering unsorted codends to motherships, and catcher vessels using nontrawl gear and discarding groundfish CDQ at sea (Option 2 in the CDP).* The CDQ representative must record the following information on each applicable CDQ catch report.

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(A) *Delivery information.* (1) If a catcher vessel delivering unsorted codends to a mothership, the mothership name and federal fisheries permit number, CDQ observer's haul number, and date gear retrieved onboard the mothership as determined by the CDQ observer.

(2) If a catcher/processor, the CDQ observer's haul or set number, and date gear retrieved as determined by the CDQ observer.

(3) If a catcher vessel using nontrawl gear, discarding groundfish CDQ at sea, and delivering to a shoreside processor or mothership operating solely in Alaska State waters, the processor name, federal processor permit number, CDQ delivery number, and delivery date.

(B) *Catch information, groundfish CDQ species.* (See § 679.5(n)(2)(iv)(B).)

(C) *Catch information, halibut IFQ/CDQ and sablefish IFQ* (See § 679.5(n)(2)(iv)(C).)

(D) *Mortality information, salmon and crab prohibited species.* (See § 679.5(n)(2)(iv)(D).)

(E) *Mortality information, halibut PSQ.* (See § 679.5(n)(2)(iv)(E).)

[61 FR 31230, June 19, 1996, as amended at 61 FR 35578, July 5, 1996; 61 FR 41525, Aug. 9, 1996; 61 FR 49981, Sept. 24, 1996; 62 FR 2045, Jan. 15, 1997; 62 FR 17756, Apr. 11, 1997; 62 FR 19690, Apr. 23, 1997; 62 FR 26247, May 13, 1997; 62 FR 26749, May 15, 1997; 63 FR 30399, June 4, 1998; 63 FR 47356, Sept. 4, 1998; 64 FR 61972, Nov. 15, 1999; 64 FR 69673, Dec. 14, 1999; 65 FR 14923, Mar. 20, 2000; 65 FR 41380, July 5, 2000]

EFFECTIVE DATE NOTES: 1. At 63 FR 47356, Sept. 4, 1998, § 679.5 was amended by revising paragraphs (a) through (l) and adding paragraph (m), effective Oct. 5, 1998, except paragraph (l)(2)(vi), which contains information collection and recordkeeping requirements and will not become effective until approval has been given by the Office of Management and Budget.

2. At 65 FR 4538, Jan. 28, 2000, § 679.5 was amended by adding paragraphs (a)(4)(iv), (f)(3), (f)(4), (i)(1)(iii), and (o), effective Jan. 21, 2000 through July 20, 2000, except for paragraphs (a)(4)(iv), (f)(3), (i)(1)(iii), and (o) which contain information collection and recordkeeping requirements and will not become effective until approval has been given by the Office of Management and Budget. At 65 FR 39107, 39110, the effective date was extended from July 20, 2000, through Jan. 16, 2001, and paragraphs (a)(4)(iv), (f)(3), (i)(1)(iii), and (o) were amended by removing the phrase "applicable through July 20, 2000" and adding in its place "applicable through

January 16, 2001, effective July 20, 2000 through Jan. 16, 2001.

§ 679.5 Recordkeeping and reporting.

(a) * * *

(4) * * *

(iv) *Shoreside processor electronic logbook report* (applicable through January 16, 2001). The manager of a shoreside processor or stationary floating processor receiving groundfish from AFA catcher vessels must use NMFS-approved software to report catcher vessel deliveries to NMFS as required under this section, and maintain the shoreside processor electronic logbook report describe at paragraph (f)(3), and printed reports required under this section to record the information described at paragraph (f)(4) of this section. The owner of a shoreside processor or stationary floating processor is responsible for compliance and must ensure that the operator, manager, or representative complies with the requirements of this paragraph described at paragraph (f)(3).

* * * * *

(f) *Shoreside processor DCPL.* * * *

(3) *Shoreside processor electronic logbook report* (applicable through January 16, 2001).

(i) *Requirement.* The manager of a shoreside processor or stationary floating processor that receives deliveries of groundfish from one or more AFA catcher vessels must record in and submit a shoreside processor electronic logbook report for each catcher vessel delivery and must print and retain reports required under this section for the duration of the fishing year.

(ii) *Applicability.* (A) Processors that use the shoreside processor electronic logbook to record all deliveries and that receive from NMFS an electronic return receipt for each delivery report are exempt from the requirement to maintain shoreside processor DCPLs as described at paragraph (f)(1) and (2) of this section and are exempt from the requirement to submit quarterly DCPL logsheets to NMFS Enforcement as described at paragraph (a)(14)(iii)(A) of this section.

(B) Processors that submit the shoreside processor electronic logbook report and that receive from NMFS an

such system, notwithstanding section [1881a](#)(b) of this title; and
 (C) provide such notice and other requirements of applicable law that the Secretary deems necessary for an effective registry system.

- (2) The Secretary shall promulgate such regulations as may be necessary to carry out this subsection, after consulting with the Councils and providing an opportunity for public comment. The Secretary is authorized to contract with non-Federal entities to administer the central registry system.
- (3) To be effective and perfected against any person except the transferor, its heirs and devisees, and persons having actual notice thereof, all security interests, and all sales and other transfers of permits described in paragraph (1), shall be registered in compliance with the regulations promulgated under paragraph (2). Such registration shall constitute the exclusive means of perfection of title to, and security interests in, such permits, except for Federal tax liens thereon, which shall be perfected exclusively in accordance with the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.). The Secretary shall notify both the buyer and seller of a permit if a lien has been filed by the Secretary of the Treasury against the permit before collecting any transfer fee under paragraph (5) of this subsection.
- (4) The priority of security interests shall be determined in order of filing, the first filed having the highest priority. A validly-filed security interest shall remain valid and perfected notwithstanding a change in residence or place of business of the owner of record. For the purposes of this subsection, "security interest" shall include security interests, assignments, liens and other encumbrances of whatever kind.
- (5)
 - (A) Notwithstanding section [1854](#)(d)(1) of this title, the Secretary shall collect a reasonable fee of not more than one-half of one percent of the value of a limited access system permit upon registration of the title to such permit with the central registry system and upon the transfer of such registered title. Any such fee collected shall be deposited in the Limited Access System Administration Fund established under subparagraph (B).
 - (B) There is established in the Treasury a Limited Access System Administration Fund. The Fund shall be available, without appropriation or fiscal year limitation, only to the Secretary for the purposes of -

- (i) administering the central registry system; and
- (ii) administering and implementing this chapter in the fishery in which the fees were collected. Sums in the Fund that are not currently needed for these purposes shall be kept on deposit or invested in obligations of, or guaranteed by, the United States.
- (i) Alaska and western Pacific community development programs
- (1)

- (A) The North Pacific Council and the Secretary shall establish a western Alaska community development quota program under which a percentage of the total allowable catch of any Bering Sea fishery is allocated to the program.
 - (B) To be eligible to participate in the western Alaska community development quota program under subparagraph (A) a community shall -
- (i) be located within 50 nautical miles from the baseline from which the breadth of the territorial sea is measured along the Bering Sea coast from the Bering Strait to the western most of the Aleutian Islands, or on an island within the Bering Sea;
- (ii) not be located on the Gulf of Alaska coast of the north Pacific Ocean;
- (iii) meet criteria developed by the Governor of Alaska, approved by the Secretary, and published in the Federal Register;
- (iv) be certified by the Secretary of the Interior pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) to be a Native village;
- (v) consist of residents who conduct more than one-half of their current commercial or subsistence fishing effort in the waters of the Bering Sea or waters surrounding the Aleutian Islands; and
- (vi) not have previously developed harvesting or processing capability sufficient to support substantial participation in the groundfish fisheries in the Bering Sea, unless the community can show that the benefits from an approved Community Development Plan would be the only way for the community to realize a return from previous investments.
- (C)
 - (i) Prior to October 1, 2001, the North Pacific Council may not submit to the Secretary any fishery management plan, plan amendment, or regulation that allocates to the western Alaska community development quota program a percentage of the total allowable catch of any Bering Sea fishery for which, prior to October 1, 1995, the Council had not approved a percentage of the total allowable catch for allocation to such community development quota program. The expiration of any plan, amendment, or regulation that meets the requirements of clause (ii) prior to October 1, 2001, shall not be construed to prohibit the Council from submitting a revision or extension of such plan, amendment, or regulation to the Secretary if such revision or extension complies with the other requirements of this

paragraph.

- (ii) With respect to a fishery management plan, plan amendment, or regulation for a Bering Sea fishery that -
- (I) allocates to the western Alaska community development quota program a percentage of the total allowable catch of such fishery; and
- (II) was approved by the North Pacific Council prior to October 1, 1995; the Secretary shall, except as provided in clause (iii) and after approval of such plan, amendment, or regulation under section [1854](#) of this title, allocate to the program the percentage of the total allowable catch described in such plan, amendment, or regulation. Prior to October 1, 2001, the percentage submitted by the Council and approved by the Secretary for any such plan, amendment, or regulation shall be no greater than the percentage approved by the Council for such fishery prior to October 1, 1995.
- (iii) The Secretary shall phase in the percentage for community development quotas approved in 1995 by the North Pacific Council for the Bering Sea crab fisheries as follows:
 - (I) 3.5 percent of the total allowable catch of each such fishery for 1998 shall be allocated to the western Alaska community development quota program;
 - (II) 5 percent of the total allowable catch of each such fishery for 1999 shall be allocated to the western Alaska community development quota program; and
 - (III) 7.5 percent of the total allowable catch of each such fishery for 2000 and thereafter shall be allocated to the western Alaska community development quota program, unless the North Pacific Council submits and the Secretary approves a percentage that is no greater than 7.5 percent of the total allowable catch of each such fishery for 2001 or the North Pacific Council submits and the Secretary approves any other percentage on or after October 1, 2001.
 - (D) This paragraph shall not be construed to require the North Pacific Council to resubmit, or the Secretary to reapprove, any fishery management plan or plan amendment approved by the North Pacific Council prior to October 1, 1995, that includes a community development quota program, or any regulations to implement such plan or amendment.
 - (2)
 - (A) The Western Pacific Council and the Secretary may establish a western Pacific community development program for any fishery under the authority of such Council in order to provide access to such fishery for western Pacific communities that participate in the program.
 - (B) To be eligible to participate in the western Pacific community development program, a community shall -

- (i) be located within the Western Pacific Regional Fishery Management Area;
 - (ii) meet criteria developed by the Western Pacific Council, approved by the Secretary and published in the Federal Register;
 - (iii) consist of community residents who are descended from the aboriginal people indigenous to the area who conducted commercial or subsistence fishing using traditional fishing practices in the waters of the Western [\[2\]](#) Pacific region;
 - (iv) not have previously developed harvesting or processing capability sufficient to support substantial participation in fisheries in the Western Pacific Regional Fishery Management Area; and
 - (v) develop and submit a Community Development Plan to the Western Pacific Council and the Secretary.
 - (C) In developing the criteria for eligible communities under subparagraph (B)(ii), the Western Pacific Council shall base such criteria on traditional fishing practices in or dependence on the fishery, the cultural and social framework relevant to the fishery, and economic barriers to access to the fishery.
 - (D) For the purposes of this subsection "Western Pacific Regional Fishery Management Area" means the area under the jurisdiction of the Western Pacific Council, or an island within such area.
 - (E) Notwithstanding any other provision of this chapter, the Western Pacific Council shall take into account traditional indigenous fishing practices in preparing any fishery management plan.
 - (3) The Secretary shall deduct from any fees collected from a community development quota program under section [1854](#)(d)(2) of this title the costs incurred by participants in the program for observer and reporting requirements which are in addition to observer and reporting requirements of other participants in the fishery in which the allocation to such program has been made.
 - (4) After October 11, 1996, the North Pacific Council and Western Pacific Council may not submit to the Secretary a community development quota program that is not in compliance with this subsection.
-

last day of the anniversary month of an order/finding for which a review is requested and a final determination within 120 days after the date on which the preliminary determination is published. However, if it is not practicable to complete the review within the time period, section 751(a)(3)(A) of the Act allows the Department to extend these deadlines to a maximum of 365 days and 180 days, respectively.

Background

On October 2, 2000, the Department published a notice of initiation of administrative review of the countervailing duty order on stainless steel sheet and strip from the Republic of Korea, covering the period November 17, 1998 through December 31, 1999 (see 65 FR 58733). The preliminary results are currently due no later than May 3, 2001.

Extension of Preliminary Results of Review

We determine that it is not practicable to complete the preliminary results of this review within the original time limit. Therefore, the Department is extending the time limits for completion of the preliminary results until no later than August 31, 2001. See Decision Memorandum from Melissa G. Skinner, Office Director for AD/CVD Office VI, to Holly A. Kuga, Acting Deputy Assistant Secretary, dated concurrently with this notice, which is on public file in the Central Records Unit, Room B-099 of the Department of Commerce. We intend to issue the final results no later than 120 days after the publication of the preliminary results.

This extension is in accordance with section 751(a)(3)(A) of the Act.

Dated: April 18, 2001.

Thomas F. Futtner,

Acting Deputy Assistant Secretary for Import Administration.

[FR Doc. 01-10278 Filed 4-24-01; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 042001A]

Western Alaska Community Development Quota (CDQ) Program

AGENCY: National Oceanic and Atmospheric Administration (NOAA).

ACTION: Proposed information collection; comment request.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Pub. L. 104-13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before June 25, 2001.

ADDRESSES: Direct all written comments to Madeleine Clayton, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6086, 14th and Constitution Avenue NW, Washington, DC 20230 (or via Internet at MClayton@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Obren Davis, F/AKR2, P.O. Box 21668, Juneau, AK 99802-1668 (phone 907-586-7241).

SUPPLEMENTARY INFORMATION:

I. Abstract

The purpose of the CDQ program is to allocate a portion of the quotas for certain species to Western Alaska communities so that these communities can start and support regionally-based commercial seafood or other fishery-related businesses. In order to obtain an allocation, a community must submit a Community Development Plan, file any necessary amendments to the Plan and submit various reports to allow tracking of activities, including the amount of fish caught as part of the quota. NOAA needs the information to manage the program and to insure that the CDQ program is accomplishing its intended purposes and to track quotas.

II. Method of Collection

Delivery and catch reports may be submitted electronically, using either NOAA-supplied or respondent's software. These reports may also be faxed. Notifications are provided in person to an observer on-site or by phone or radio. All other requirements are met by submission of paper forms or paper documents that comply with the CDQ regulations.

III. Data

OMB Number: 0648-0269.

Form Number: None.

Type of Review: Regular submission.

Affected Public: Not-for-profit

institutions, business or other for-profit organizations, and state, local, or tribal government.

Estimated Number of Respondents: 85.

Estimated Time Per Response: 520 hours for a CDP proposal, 40 hours for an annual CDP report, 20 hours for an annual CDP budget report, 8 hours for an annual CDP budget reconciliation, report, 8 hours for a substantial amendment to a CDP, 4 hours for a technical amendment to a CDP, 1 hour for a CDQ delivery report, 15 minutes for a CDQ catch report, 2 minutes for a shoreside processor to provide notification of a CDQ delivery, 2 minutes for vessels to provide notifications to observers prior to hauls or sets.

Estimated Total Annual Burden Hours: 3,746.

Estimated Total Annual Cost to Public: \$1,000.

IV. Request for Comments

Comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: April 18, 2001.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 01-10263 Filed 4-24-01; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 042001B]

Sea Grant Program Application Requirements for Grants, for John A. Knauss Marine Policy Fellowships, and for Designation as a Sea Grant College or Regional Consortia

AGENCY: National Oceanic and Atmospheric Administration (NOAA).

ACTION: Proposed information collection; comment request.